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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/816,967 | 03/23/2001 | Gregory J. Mann | BUR9-2001-0025-US1 | 8686 |

29154 7590 10/23/2006

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| EXAMINER | |
|---|---|
| JOO, JOSHUA | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2154 | |

DATE MAILED: 10/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/816,967 | MANN, GREGORY J. | |
| | Examiner | Art Unit | |
| | Joshua Joo | 2154 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *15 August 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

*Response to Amendment filed 8/15/2006*

1. Claims 1-21 are presented for examination.

**Response to Arguments**

2. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

**Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aguilar et al, US Patent #6,199,137 (Aguilar hereinafter), in view of Kukic et al, US Publication #2004/0213241 (Kukic hereinafter).

5. As per claims 1 and 15, Aguilar teaches substantially the invention as claimed including a core for providing communications between a transmission media and a processor in a parallel-serial architecture, Aguilar's teaching comprising:

serial lanes connecting said processor to said transmission media (Fig. 2; Col 4, lines 57-67. Via ports. Processor connected to ports.); and

at least one selector connected to said serial lanes (Fig. 2; Col 4, lines 57-67. Data mux.).

6. Aguilar does not teach said selector selectively engages different number of said serial lanes to alter speed of data passing through said core. Kukic teaches of selecting a number of links from links 28a-n to alter data rate (Paragraph 0022).

7. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Aguilar and Kukic because the teachings of Kukic to select a number of links to alter date rate would improve the teachings of Aguilar by controlling data rates based on differently needed criteria for the communication system.

8. As to claim 8, Aguilar teaches substantially the invention as claimed including a parallel-serial system, Aguilar's teachings comprising:

at least one processor (Fig. 2; Col 4, lines 57-67. Processor.);

at least one transmission media (via ports) connecting said one processor (Fig. 2; Col 4, lines 57-67. Processor connected to ports.); and

a core between each processor and said transmission media, said core providing communication between said transmission media and said processor, and said core comprising:

serial lanes connecting said processor to said transmission media (Fig. 2; Col 4, lines 57-67. Via ports. Processor connected to ports. ); and

at least one selector connected to said serial lanes (Fig. 2; Col 4, lines 57-67. Data mux.).

9. Aguilar does not teach said selector selectively engages different number of said serial lanes to alter speed of data passing through said core. Kukic teaches of selecting a number of links from links 28a-n to alter data rate (Paragraph 0022).

10. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Aguilar and Kukic because the teachings of Kukic to select a number of links

to alter date rate would improve the teachings of Aguilar by controlling data rates based on differently needed criteria for the communication system.

11. As per claims 2, 9, and 16, Aguilar does not explicitly teach the core further comprising a data controller for controlling an operation of said selector. Kukic teaches a controller for controlling operation of a selector (Paragraph 0018).

12. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Aguilar and Kukic because the teachings of Kukic of a controller for controlling operation of a selector would improve the system of Aguilar and Kukic by managing the flow of data and determining timing of data transfers.

13. As per claims 3, 10, and 17, Aguilar teaches the core wherein each of said serial lanes include a buffer (Fig. 2. FIFO.).

14. As per claims 4, 11, and 18, Aguilar teaches the core wherein said buffers comprise elastic (inherent) first-in, first-out (FIFO) buffers (Fig. 2. FIFO.).

15. As per claims 5, 12, and 19, Aguilar teaches the core wherein said selector comprises a multiplexor (Fig. 2. Data mux.).

16. As per claims 6, 13, and 20, Aguilar does not teach the core wherein additional speed adjustments is attained by said selector engaging additional lanes. Kukic teaches selecting additional lanes to attain additional speed adjustments (Paragraph 0028-0029).

17. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Aguilar and Kukic because the teachings of Aguilar to select additional lanes to attain speed adjustments would improve the system of Aguilar and Kukic by allowing changes to the data rate as needed, i.e. dynamic changes.

18. As per claims 7, 14, and 21, Aguilar teaches the core wherein said transmission media operates at a different data speed that said processor (Fig. 2; Col 4, lines 57-67; Col 6, lines 29-32).

**Conclusion**

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

20. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Friday 7 to 4.

22. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on 571 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

23. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 16, 2006
JJ